

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

LOUIE ALEXANDER,

Plaintiff,

-vs-

Case No. 3:06-cv-498-WKW

OPELIKA CITY BOARD OF EDUCATION,

Defendant.

**REPORT OF RULE 26(f) PARTIES' PLANNING MEETING**

Pursuant to Fed.R.Civ.P. 26(f), a meeting was held between counsel for the parties on the 29th day of June, 2007, via telephone. Accordingly, the parties submit this Rule 26(f) Report to the Court for its consideration.

1. The meeting was attended, via telephone, by:
  - a. Jeffrey W. Bennett for the Plaintiff Louie Alexander;
  - b. Elizabeth Brannen Carter for the Defendant Opelika City Board of Education.
2. Pre-discovery disclosures. The parties will exchange by August 30, 2007, the information required by Local Rule 26.1(a)(1).
3. Discovery Plan: The Defendant proposes to the Court the following discovery plan:
  - a. Discovery will be needed on the following subjects: all matters raised in the Complaint, any amendments to the Complaint and any Answer;
  - b. All discovery commenced in time to be completed by June 30, 2008;
  - c. Maximum of 40 interrogatories by each party to any other party. Responses due 30 days after service;
  - d. Maximum of 40 requests for production by each party to any other party. Responses due 30 days after service;
  - e. Maximum of 25 requests for admission by each party to any other party. Responses due 30 days after service;
  - f. Maximum of 5 depositions by Plaintiff and 5 depositions by Defendant, unless otherwise agreed to by the parties;

- g. Each deposition, other than that of the parties, limited to a maximum of 7 hours, unless otherwise agreed to by the parties. Parties' depositions limited to a maximum of 7 hours, unless otherwise agreed to by the parties;
  - h. Reports from retained experts under Rule 26(a)(2) due:
    - (1) from Plaintiff by March 1, 2008; and
    - (2) from Defendant by April 1, 2008; and
  - i. Supplementation under Rule 26(e) a reasonable time after discovery.
4. Other matters:
- a. The Defendant requests a conference with the Court before entry of the Scheduling Order;
  - b. Plaintiff should be allowed until February 1, 2008 to join additional parties and until February 1, 2008 to amend the pleadings;
  - c. Defendant should be allowed until March 1, 2008 to join additional parties and until March 1, 2008 to amend the pleadings;
  - d. All potentially dispositive motions should be filed by July 15, 2008;
  - e. Settlement cannot be realistically evaluated prior to close of discovery . . .
  - f. The parties request a final pretrial conference in September, 2008;
  - g. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due:
    - (1) from Plaintiff: 30 days before trial; and
    - (2) from Defendant: 30 days before trial.
  - h. Parties should have until no less than 14 days prior to trial to list objections to witnesses and exhibits under Rule 26(a)(3); and
  - i. The case should be ready for trial by October, 2008, and is expected to take approximately 1-2 days.

Respectfully Submitted this the 2<sup>nd</sup> day of July, 2007.

/S/ Jeffrey W. Bennett

Jeffrey W. Bennett  
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